

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

In Re KATZ INTERACTIVE CALL
PROCESSING LITIGATION

This document relates to:

RONALD A. KATZ TECHNOLOGY
LICENSING L.P.

Plaintiff,

v.

AMERICAN AIRLINES, INC., et al.

Defendants.

Case No. 07-ML-1816-B-RGK
(FFMx)

Case No. 07-CV-2196-RGK
(FFMx)

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR PARTIAL
SUMMARY JUDGMENT AGAINST
THE AMERICAN AIRLINES, INC.
AND FEDERAL EXPRESS
DEFENDANTS**

Date: September 29, 2008
Time: 9:00 a.m.

Judge: Hon. R. Gary Klausner
Ct: Courtroom 850

Plaintiff Ronald A. Katz Technology Licensing, L.P. (hereinafter, "Katz") has filed a Motion for Partial Summary Judgment on the affirmative defenses of equitable estoppel and prosecution laches for Defendants American Airlines, Inc. (hereinafter, "American") and Defendants Federal Express Corporation, FedEx Corporate Services, Inc., FedEx Corporation and FedEx Customer Information Services, Inc. (hereinafter, "FedEx"). Having considered the motion, supporting memorandum and exhibits, the opposition to the motion, and the other pleadings and filings in this proceeding, and for good cause appearing,

IT IS HEREBY ORDERED that:

(1) Plaintiff's Motion for Summary Judgment on American's Affirmative Defense of equitable estoppel is hereby GRANTED. American's Sixth Affirmative Defense of equitable estoppel is hereby DISMISSED with prejudice.

1 (2) Plaintiff's Motion for Summary Judgment on American's Affirmative
2 Defense of prosecution laches is hereby GRANTED. American's Eleventh
3 Affirmative Defense of prosecution laches is hereby DISMISSED with prejudice.

4 (3) Plaintiff's Motion for Summary Judgment on FedEx's Affirmative
5 Defense of equitable estoppel is hereby GRANTED. FedEx's Twenty-Eighth
6 Affirmative Defense of equitable estoppel is hereby DISMISSED with prejudice.

7 (4) Plaintiff's Motion for Summary Judgment on FedEx's Affirmative
8 Defense of prosecution laches is hereby GRANTED. FedEx's Twenty-Seventh
9 Affirmative Defense of prosecution laches is hereby DISMISSED with prejudice.

10
11 **IT IS SO ORDERED.**

12
13 Dated: _____

By: _____
HONORABLE R. GARY KLAUSNER